

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Cabanillas & Associates, P.C.
Jenee K. Ciccarelli, Esq.
120 Bloomingdale Rd. Suite 400
White Plains, NY 10605

In Re:

Bettsy and Helmuth Baum,
Debtors



Order Filed on September 13, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: _____ 13-35461 _____

Hearing Date: _September 13, 2017_

Chapter: _13_

Judge: _Ferguson_

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☒ Followed ☐ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.

DATED: September 13, 2017

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson".

Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as ___10 Coventry Court, _Matawan, NJ 07747_____, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Mid-Atlantic Realty Group, Joseph Cantatore & Re/MAX Champions
Jethro Kwok, Cabanillas & Associates, P.C.

Amount to be paid: \$13,610

Services rendered: real estate services, representation of sellers in marketing and sale of real estate; buyer's broker commission; closing attorney's fees

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this

court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$__ to be determined at closing but no more than \$2,000 _____ claimed as exempt may be paid to the Debtor.

6. The ☐ *balance of proceeds* or the ☒ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.

7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.

8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.

9. Other provisions: A Credit of \$1,850 dollars to the Buyer as a credit for repair of the deck is permitted.

rev.8/1/15

Imaged Certificate of Notice Page 5 of 5

United States Bankruptcy Court
District of New JerseyIn re:
Bettsy Baum
Helmuth M. Baum
DebtorsCase No. 13-35461-KCF
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 13, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 15, 2017.

db/jdb #+Bettsy Baum, Helmuth M. Baum, 10 Coventry Court, Matawan, NJ 07747-9680

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 15, 2017

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 13, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com

Andrew L. Spivack on behalf of Creditor Federal Home Loan Mortgage Corporation (Freddie Mac),
a corporation organized and existing under the laws of the United States of America
nj.bkecf@fedphe.comDenise E. Carlon on behalf of Creditor Federal Home Loan Mortgage Corporation (Freddie Mac),
a corporation organized and existing under the laws of the United States of America
bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.comElizabeth K. Holdren on behalf of Creditor Coventry Court Condominium Association, Inc.
eak@hillwallack.com, fkm@hillwallack.com; jhanley@hillwallack.comJames Patrick Shay on behalf of Creditor WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE FOR
UPLAND MORTGAGE LOAN TRUST A james.shay@phelanhallinan.comJene K. Ciccarella on behalf of Joint Debtor Helmuth M. Baum kciccarella@cabanillaslaw.com,
bankruptcy@cabanillaslaw.comJene K. Ciccarella on behalf of Debtor Bettsy Baum kciccarella@cabanillaslaw.com,
bankruptcy@cabanillaslaw.comJohn R. Morton, Jr. on behalf of Creditor Nissan Motor Acceptance Corporation, Servicer for
Nissan-Infiniti LT ecfmail@mortoncraig.com, mortoncraige@gmail.com; mhazlett@mortoncraig.comMichael Frederick Dingerdissen on behalf of Creditor WILMINGTON SAVINGS FUND SOCIETY, FSB, AS
TRUSTEE FOR UPLAND MORTGAGE LOAN TRUST A nj.bkecf@fedphe.com

TOTAL: 10